

**AUGUST 19, 2014**

**ROLL CALL: MARY BRADLEY, CARL ELLIS, KEN KERKHOFF, ANN MILLER AND OWEN ROBERTS. ALSO PRESENT WERE MAYOR BRIAN TRAUGOTT AND CITY ATTORNEY BILL MOORE.**

**DEPT. HEADS: BART MILLER, JIM ODOM, JOHN WILHOIT AND ALLISON WHITE WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.**

**Mayor Traugott noted that Council member Sonny Jones had submitted his resignation as a Council member to be effective immediately, therefore leaving a vacant seat of the Council. Mayor Traugott informed the Council that a nomination for that vacancy could be accepted or if the vacancy is not filled upon vote of the Council after 30 days, the Governor would then make an appointment to the vacated position.**

**MOTION BY ELLIS, SECONDED BY MILLER TO NOMINATE MIKE COLEMAN TO FILL THE VACATED POSITION OF COUNCIL MEMBER SONNY JONES EFFECTIVE IMMEDIATELY.**

**The vote was as follows: Bradley, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**MOTION BY ELLIS, SECONDED BY MILLER TO ACCEPT THE RESIGNATION OF MIKE COLEMAN AS A CITY-APPOINTED MEMBER OF THE VERSAILLES-WOODFORD COUNTY PLANNING COMMISSION.**

**The vote was as follows: Bradley, Ellis, Kerkhoff, Miller and Roberts voting aye.**

City Attorney Bill Moore presented the Oath of Office to Mike Coleman, thereby officially appointing Mr. Coleman as a Versailles City Council member.

### **PUBLIC COMMENT**

Citizen Don Lewis posed some questions regarding the format of the City's minutes. Mr. Lewis' concern was that some comments submitted for the record during a Council meeting only appear and are referred to as an "Exhibit" to the minutes that are displayed on the City's website. Mr. Lewis referenced a May 6, 2014 meeting whereby he had submitted written comments for the record and they were noted as an Exhibit, however, someone else submitted comments and they were part of the website minutes displayed. City Clerk Allison White noted that the comments which appeared in the website minutes of that date were submitted electronically and were included with the Council packets that went out on May 2<sup>nd</sup>, at the request of Mr. John Soper. Ms. White noted that comments that had been submitted by hand were never re-typed to be included in the website minutes. There was discussion as to how to handle this issue in the future when public comments are submitted.

**MOTION BY KERKHOFF, SECONDED BY ELLIS TO INCLUDE AND PUBLISH ON CITY'S WEBSITE, ANY PUBLIC COMMENTS RECEIVED IN THE FUTURE AND SUBMITTED AS "FOR THE RECORD" AND THAT ARE SUBMITTED TO THE CITY CLERK'S OFFICE IN ELECTRONIC FORMAT.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

Mr. Don Lewis also expressed his appreciation to the Mayor and Council for the proposal to further form a Committee to study merged government. Mr. Lewis noted that the issue "was worth looking at—thank you".

Citizen Marjorie Evans addressed the Mayor and Council with her concern that some ordinances of the City, and those that fall under the BOCA (Building Officials & Code Administrators) National Property Maintenance Code are not being enforced. Ms. Evans further notes that Public Works has done a good job in taking care of old signs and their removal, however, she expressed that the violations of such ordinances are not being enforced. Ms. Evans requested that "the City take more pride in how the City looks by enforcing these ordinances". City Attorney Moore noted that Planning and Zoning was the agency designated to enforce the sign ordinances. Mayor Traugott and Council agreed to submit a letter to the Planning and Zoning Director requesting stricter enforcement of the sign ordinances within the City.

**AUGUST 19, 2014**

**MOTION BY BRADLEY, SECONDED BY ELLIS TO APPROVE AND ADOPT THE MINUTES OF THE AUGUST 5, 2014 MINUTES OF THE COUNCIL.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2014-36 as follows:

**CITY OF VERSAILLES, KENTUCKY**

**ORDINANCE NO. 2014-36  
(SUMMARY)**

**AN ORDINANCE CREATING AND ESTABLISHING FOR BID, A NON-EXCLUSIVE ELECTRIC FRANCHISE FOR THE PLACEMENT OF FACILITIES FOR THE TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY WITHIN THE PUBLIC RIGHT-OF-WAY OF THE CITY OF VERSAILLES FOR A TEN (10) YEAR DURATION, IN RETURN FOR PAYMENT TO THE CITY OF VERSAILLES OF THE SUM OF TWO PERCENT (2%) OF FRANCHISEE’S GROSS RECEIPTS PER YEAR FROM THE FRANCHISEE’S SALE OF ELECTRICITY TO ELECTRIC-CONSUMING ENTITIES INSIDE THE CITY OF VERSAILLES’ CORPORATE LIMITS AND RESERVING THE RIGHT TO INCREASE SAID FRANCHISE FEE TO UP TO THREE PERCENT (3%) OF FRANCHISEE’S GROSS RECEIPTS PER YEAR FROM THE FRANCHISEE’S SALE OF ELECTRICITY TO ELECTRIC-CONSUMING ENTITIES INSIDE THE CITY OF VERSAILLES’ CORPORATE LIMITS AND FURTHER PROVIDING FOR COMPLIANCE WITH RELEVANT LAWS, REGULATIONS AND STANDARDS; INDEMNIFICATION; INSURANCE; CANCELLATION OR TERMINATION; AND BID REQUIREMENTS; ALL EFFECTIVE ON DATE OF PASSAGE.**

**The franchise created by the Ordinance shall become effective when the Versailles City Council accepts the bid(s) for it.**

**This Ordinance shall become effective on the date of its passage.**

**Date of Passage:      August 19, 2014**

**APPROVED:**

**\_\_\_\_\_  
BRIAN TRAUGOTT, MAYOR  
CITY OF VERSAILLES, KENTUCKY**

**ATTEST:**

**\_\_\_\_\_  
ALLISON B. WHITE, CITY CLERK**

**MOTON BY MILLER, SECONDED ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2014-36 AN ORDINANCE CREATING AND ESTABLISHING FOR BID, A NON-EXCLUSIVE ELECTRIC FRANCHISE FOR THE PLACEMENT OF FACILITIES FOR THE TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY WITHIN THE PUBLIC RIGHT-OF-WAY OF THE CITY OF VERSAILLES FOR A TEN (10) YEAR DURATION, IN RETURN FOR PAYMENT TO THE CITY OF VERSAILLES OF THE SUM OF TWO PERCENT (2%) OF FRANCHISEE’S GROSS RECEIPTS PER YEAR FROM THE FRANCHISEE’S SALE OF ELECTRICITY TO ELECTRIC-CONSUMING ENTITIES INSIDE THE CITY OF VERSAILLES’ CORPORATE LIMITS AND RESERVING THE RIGHT TO INCREASE SAID FRANCHISE FEE TO UP TO THREE PERCENT (3%) OF FRANCHISEE’S GROSS RECEIPTS PER YEAR FROM THE FRANCHISEE’S SALE OF ELECTRICITY TO ELECTRIC-CONSUMING ENTITIES INSIDE THE CITY OF VERSAILLES’ CORPORATE LIMITS AND FURTHER PROVIDING FOR COMPLIANCE WITH RELEVANT LAWS, REGULATIONS AND STANDARDS; INDEMNIFICATION; INSURANCE; CANCELLATION OR TERMINATION; AND BID REQUIREMENTS; ALL EFFECTIVE ON DATE OF PASSAGE.**

**AUGUST 19, 2014**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**Mr. Mike Canfield of Kentucky Utilities (KU) was present to address the Council’s previous concerns with the proposed franchise agreement as relates to Kentucky Utilities tree stump removal policy. Mr. Canfield informed the Council KU’s tree trimming policy does not call for removing tree stumps other than in “extreme hazardous situations”. Mr. Canfield further noted that KU does not own trees, as they belong exclusively to the homeowner/property owner. Mr. Canfield noted that KU is always willing to work with the individual if the situation of the stump being removed is a detriment to human lives.**

**At the request of Council member Roberts, City Attorney Moore gave second reading of Ordinance No. 2014-37 as follows:**

**CITY OF VERSAILLES, KENTUCKY**

**ORDINANCE NO. 2014-37  
(SUMMARY)**

**AN ORDINANCE CREATING AND ESTABLISHING FOR BID A NON-EXCLUSIVE GAS FRANCHISE FOR THE PLACEMENT OF FACILITIES FOR THE TRANSMISSION, DISTRIBUTION AND SALE OF GAS FOR HEATING AND OTHER PURPOSES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF VERSAILLES FOR AN INITIAL TEN (10) YEAR PERIOD WITH UP TO TWO (2) ADDITIONAL EXTENSIONS OF TIME OF FIVE (5) YEARS EACH, IN RETURN FOR PAYMENT TO THE CITY OF VERSAILLES OF THE SUM OF AT LEAST TWO PERCENT (2%) OF EACH FRANCHISEE’S GROSS ANNUAL REVENUES FROM THE SALE, DISTRIBUTION, AND DELIVERY OF GAS WITHIN THE CITY OF VERSAILLES AND AN OPTION TO INCREASE THE FEE TO AN AMOUNT NOT TO EXCEED FIVE PERCENT (5%); ALL EFFECTIVE ON DATE OF PASSAGE.**

**The franchise created by this Ordinance shall become effective when the Versailles City Council accepts the bid(s) for it.**

**The Ordinance shall become effective on the date of its passage.**

**Date of Passage:      August 19, 2014**

**APPROVED:**

**\_\_\_\_\_  
BRIAN TRAUGOTT, MAYOR  
CITY OF VERSAILLES, KENTUCKY**

**ATTEST:**

**\_\_\_\_\_  
ALLISON B. WHITE, CITY CLERK**

**MOTION BY ROBERTS, SECONDED BY ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2014-37 CREATING AND ESTABLISHING FOR BID A NON-EXCLUSIVE GAS FRANCHISE FOR THE PLACEMENT OF FACILITIES FOR THE TRANSMISSION, DISTRIBUTION AND SALE OF GAS FOR HEATING AND OTHER PURPOSES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF VERSAILLES FOR AN INITIAL TEN (10) YEAR PERIOD WITH UP TO TWO (2) ADDITIONAL EXTENSIONS OF TIME OF FIVE (5) YEARS EACH, IN RETURN FOR PAYMENT TO THE CITY OF VERSAILLES OF THE SUM OF AT LEAST TWO PERCENT (2%) OF EACH FRANCHISEE’S GROSS ANNUAL REVENUES FROM THE SALE, DISTRIBUTION, AND DELIVERY OF GAS WITHIN THE CITY OF VERSAILLES AND AN OPTION TO INCREASE THE FEE TO AN AMOUNT NOT TO EXCEED FIVE PERCENT (5%); ALL EFFECTIVE ON DATE OF PASSAGE.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**AUGUST 19, 2014**

**At the request of Council member Miller, City Attorney Moore gave first reading of ordinance No. 2014-38 Proposing the Formation of a Commission to Study the Questions of Unifying the County Government with One or More Cities Within the County to Form a Unified Local Government as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2014-38  
TITLE: AN ORDINANCE PROPOSING THE FORMATION OF A COMMISSION  
TO STUDY THE QUESTION OF UNIFYING THE COUNTY  
GOVERNMENT WITH ONE OR MORE CITIES WITHIN THE COUNTY  
TO FORM A UNIFIED LOCAL GOVERNMENT.**

Whereas, the elected representatives of the City of Versailles are concerned governments; and  
Whereas, the elected representatives of the City of Versailles believe the City of Versailles, the City of Midway and the Woodford Fiscal Court should explore forming a unified local government; and

Whereas, KRS 67.900, et al., provides a mechanism for Kentucky cities and counties to create and implement a unified local government.

Now, therefore, BE IT ORDAINED IN THE CITY OF VERSAILLES, KENTUCKY  
as follows:

*Section 1.* In accordance with KRS 67.904(1), the City of Versailles does hereby propose to the City of Midway and to the Woodford Fiscal Court that a Commission be formed to study the question of unifying the county government with one or more of the Cities of Versailles and Midway to form a unified local government.

*Section 2.* In accordance with KRS 67.904(2), a copy of this ordinance shall be filed with the Woodford County Court Clerk no later than ten (10) days after enactment.

*Section 3.* This ordinance shall become effective after passage and upon publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 19th day of August, 2014, and fully adopted after the second reading at a meeting of said council held on the day of \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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CITY OF VERSAILLES  
BRIAN TRAUGOTT, MAYOR

ATTEST:

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ALLISON B. WHITE, CITY CLERK

**City Attorney Bill Moore presented the 2014 Real/Personal Property Tax Rate Calculation and noted that the City had received the assessment from the Property Valuation Administration’s office in order to run the calculations. Mr. Moore noted that if the Council chose to have the real property tax rate remain the same as last year at .056 per \$100 assessment (compensating rate), the projected revenue would be \$387,607. The option of allowing 4% above the compensating rate would yield approximately \$429,136. Mr. Moore noted the City had projected revenues of \$365,000 in the fiscal year 2014-15 budget. After further discussion, it was agreed by the Council to keep the 2014 real and personal property tax rate the same at .056 for real estate and .1141 for personal property. It was noted that an ordinance reflect such rate stay would be prepared for first reading at the September 2<sup>nd</sup> meeting.**

**AUGUST 19, 2014**

**MOTION BY BRADLEY, SECONDED BY MILLER TO APPROVE APPOINTMENT OF MATT MYERS TO THE ARCHITECTURAL REVIEW BOARD FOR THE TERM BEGINNING AUGUST 19, 2014 THROUGH DECEMBER 31, 2014.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**DEPARTMENT HEAD/COMMITTEE REPORTS**

**Water/Sewer Committee Chair Owen Roberts noted that the committee had met regarding the sewer backup issue at 116 Georgia Street and noted that the committee was going to further review and investigate if the City was liable or not for the backup damages due to tree roots in the line. However, the committee requested a recommendation by the Council should the committee find that it (City) is liable and that the property owner could be reimbursed prior to the next Council meeting, as the backup occurred several weeks ago and the homeowner has been patient.**

**MOTION BY KERKHOFF, SECONDED BY ROBERTS TO APPROVE AN EXPENDITURE OF UP TO \$5,000 IF THE WATER/SEWER COMMITTEE DETERMINES THAT THE CITY WAS LIABLE FOR SEWER BACKUP WHEN IT CLEANED OUT THE TREE ROOTS TO THE SEWER LINE AT 116 GEORGIA STREET AND WITH FURTHER APPROVAL OF CITY LEGAL COUNSEL.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**Police/Fire Committee Chair Ann Miller reported that a proposed smoking ban ordinance would be presented at the September 2<sup>nd</sup> meeting. Ms. Miller also announced the upcoming Strategic Planning Forum to be held August 26<sup>th</sup> at 7:00 p.m. at the KCTCS building at 300 North Main Street.**

**Mayor Traugott informed the Council that Midway Mayor Tom Bozarth has requested that the two cities schedule another joint meeting of the two legislative bodies. Mayor Traugott noted that he would solicit Mayor Bozarth for some future dates and get back with the Council with those dates to schedule the joint meeting.**

**Cemetery Committee Chairman Carl Ellis reported that the Committee had met regarding placement of mausoleums and a plot for cremation burials. Mr. Ellis noted that the Committee also wanted to inquire with the Attorney General's office regarding any special trusts accounts or any other rules and regulations regarding mausoleums. Mr. Ellis noted that no decisions were made and that all issues would be discussed at a future committee meeting. Public Works Director further noted that future discussion would also include long-range plot planning for Rose Crest Cemetery.**

**MOTION BY KERKHOFF, SECONDED BY BRADLEY TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LITIGATION.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**MOTION BY ELLIS, SECONDED BY ROBERTS TO RETURN FROM EXECUTIVE SESSION TO THE REGULAR MEETING OF THE COUNCIL AND NOTING THAT NO ACTION WAS TAKEN DURING EXECUTIVE SESSION.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**MOTION BY KERKHOFF, SECONDED BY BRADLEY TO AUTHORIZE THE CITY ATTORNEY TO TAKE LEGAL ACTION ON ANY COMPANY THAT DOES NOT WITHHOLD AND/OR PAY OCCUPATION PAYROLL TAX ACCORDING TO CITY ORDINANCE.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**AUGUST 19, 2014**

**MOTION BY ELLIS, SECONDED BY COLEMAN TO APPROVE THE GENERAL LEDGER DISTRIBUTION LIST (BILLS) DATED AUGUST 19, 2014 AFTER THEY HAVE BEEN PROPERLY REVIEWED AND APPROVED BY THE APPROPRIATE DEPARTMENT HEAD, MAYOR AND CITY TREASURER.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**MOTION BY ELLIS, SECONDED BY ROBERTS THAT THE MEETING OF THE COUNCIL ADJOURN.**

**The vote was as follows: Bradley, Coleman, Ellis, Kerkhoff, Miller and Roberts voting aye.**

**APPROVED:**

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BRIAN TRAUGOTT, MAYOR**

**ATTEST:**

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ALLISON B. WHITE, CITY CLERK**